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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,382	01/09/2002	Tomoo Ooishi	U2054.0138/P138	2087
24998	7590	07/01/2005	EXAMINER	
DICKSTEIN SHAPIRO MORIN & OSHINSKY LLP 2101 L Street, NW Washington, DC 20037			WANG, LIANG CHE A	
		ART UNIT		PAPER NUMBER
		2155		

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/040,382	OOISHI, TOMOO
	Examiner	Art Unit
	Liang-che Alex Wang	2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 12 May 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-6 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-6 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.  
 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_.



## **DETAILED ACTION**

1. Claims 1-6 are presented for examination.

### ***Response to Arguments***

2. Applicant's arguments filed 05/12/2005 are fully considered but they are not persuasive.
3. In that remarks, applicant's argues in substance:
  - a. That: among the features of claim 1 not taught or suggested in Uppaluru are storage means in a server for storing: (a) the contents, the contents having associated there within voice data for explaining an outline of the contents, and (b) an exclusive tag that indicates that the voice data is present at the server. This is not found persuasive to the Examiner, because Uppaluru does teach storage means in a server for storing the contents and exclusive tags (Col 8 lines 10-30, HVML, voice information and voice tags are retrieved from the web server), and Uppaluru also teaches the contents having associated there within voice data for explaining an outline of the contents (Col 8 lines 25-30, voice prompts are the voice data for explaining an outline of the content. Voice prompts must explain the content to receive user's feedback), and Uppaluru also teaches the exclusive tag that indicates that the voice data is present at the server (Col 8 lines 11-13, Col 5 lines 42-45, the existence of the voice tag is an indication of presence of said voice data),

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by Uppaluru, US Patent Number 5,915,001, hereinafter Uppaluru.
6. Referring to claim 1, Uppaluru teaches a contents inspecting system (item 100, figure 1) for inspecting contents accumulated in a server and consisting of at least HTML data by means of a terminal apparatus (Col 2 lines 22-41, figure 1 and 2A and Col 8 lines 11-30), comprising:

- a. server (Figure 2A, server 102) having storage means for storing a) said contents (items 202-204), said contents having associated therewith voice data for explaining an outline of said contents (Col 8 lines 17-21, 25-29, pre-recorded voice prompts and messages corresponds to the voice data for explaining an outline of said contents), and b) an exclusive tag (voice tag) that indicates that said voice data is present (Col 8 lines 11-13, Col 5 lines 42-45, the existence of the voice tag is an indication of presence of said voice data), and
- b. terminal apparatus (Figure 2A item 105) having: determination means for determining whether or not said exclusive tag in the contents read from the said server exists (Col 8 lines 9-30); means for downloading voice data corresponding to said exclusive tag from said server when it is determined by said determination

means that said exclusive tag exist (Col 8 lines 17-30, the system checks the tag, verify the tag attributes, then compose the message, this can only be done if a tag actually exists), and means for regenerating and outputting said voice data in response to said exclusive tag during regeneration of said contents (Col 8 lines 25-30.)

7. Referring to claim 2, Uppaluru further teaches, wherein only a part of the voice data download from the server is dedicated to explanation of said contents (Col 8 lines 26-30, voice prompts corresponds to explanation of said contents), other voice data information for wide use, being loaded in said terminal apparatus in advance as common voice data (Col 14 lines 1-9, wide used data is reused as cached file).
8. Referring to claim 3, Uppaluru further teaches wherein the system includes means for accumulating said downloaded voice data and means for accumulating said common voice data in advance (Col 14 lines 1-9, common voice data is in the cache system in advance).
9. Referring to claims 4-6 claims 4-6 encompass the same scope of the invention as that of the claims 1-3. Therefore, claims 4-6 are rejected for the same reason as the claims 1-3.

### *Conclusion*

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).
11. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.
14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2155

Liang-che Alex Wang *lw*  
June 29, 2005



SALEEM MAJID  
PRIMARY EXAMINER

A handwritten signature in black ink, appearing to read "lw" followed by a stylized name. Below the signature, the text "SALEEM MAJID" is printed in a bold, sans-serif font, with "PRIMARY EXAMINER" printed in a smaller font directly beneath it.